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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,756	10/19/2001	Tetsuya Araki	500.40786X00	6172

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EXAMINER

TARAE, CATHERINE MICHELLE

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/981,756	Applicant(s) ARAKI ET AL.	
	Examiner C. Michelle Tarae	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a Non-Final Office Action in response to the communication received on May 15, 2006. Claims 1, 2, 9 and 12 have been amended. Claims 1-12 are now pending in this application.

Response to Amendments

2. Applicant's amendments to claims 1, 2, 9 and 12 are acknowledged. The amendment to claim 9 is sufficient to overcome the Claim Objections set forth in the previous Office Action. Therefore, the Claim Objections of claims 8 and 9 are withdrawn.

Response to Arguments

3. Applicant's arguments have been fully considered and are found persuasive. Accordingly, a new rejection is provided below.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. (U.S. 5,581,691).

As per claim 1, Hsu et al. discloses in a workflow system that a plurality computers and a server connected to said computers are included and items are processed in said computers in accordance with a business process including one or more previously defined works, an item allocation method in said server comprising the steps of:

previously providing said server with an item extraction condition table including an item acquisition range condition and an item selection key (col. 9, lines 11-35; col. 10, lines 19-32; Figures 7 and 8; Input condition tables and output condition tables are used to select, or extract, certain records, if certain conditions related to those records are met.);

storing in a storage of said server a plurality of items received from said plurality of computers (col. 4, lines 33-43; A workflow description database stores data representing workflow that has been defined for a plurality of computers. Additionally, a history database is a log record of current workflows occurring between the plurality of computers.);

receiving an item acquisition request from a computer included in said computers (col. 12, lines 4-7; Requests representing new workflow starts are received from the computers.);

extracting an item satisfying said item acquisition range condition, based on an item acquisition range condition included in said received item acquisition request; selecting one item from among said extracted items by using said item selection key and information corresponding to an item selection key included in said received item acquisition request; and transmitting said selected one item to said computer that transmitted said item acquisition request (col. 6, lines 65-66; col. 8, lines 34-44; col. 9, lines 21-35; Figures 3 and 4; When input conditions match for a particular work/step type, that work/step is selected and instantiated to create a new workflow. The work/step is selected using Step IDs, or keys. The work/step is transmitted to a designated output port.).

Hsu et al. does not expressly disclose extracting a *plurality* of items satisfying the item acquisition range condition; rather, Hsu et al. just extracts one item satisfying the item acquisition range condition (col. 8, lines 34-44). However, whether a plurality of items are extracted or one item is extracted is a matter of design choice for the system. Hsu et al. even discloses that the definitions for the workflows and how much work is included in each step of a workflow is a matter of programming choice on the part of the person defining the workflow (col. 5, lines 38-50). Ultimately, only one item is selected in both the claim and in the disclosure of Hsu et al. At the time of the invention it would have been obvious to one of ordinary skill in the art for the system of Hsu et al. to

extract a *plurality* of items satisfying the item acquisition range condition as opposed to selecting one item because, as disclosed by Hsu et al., the definition of the workflows and how they are comprised (i.e., how many work/step items they are comprised of) are a matter of programming choice on the part of the person defining the workflow.

Enabling a person to view a plurality of items that satisfy a condition request to perform some type of work provides the person with an option to select which item they want to perform the desired work. Thus, by extracting a plurality of items provides a person with a user-friendly and enhanced workflow system.

As per claim 4, Hsu et al. discloses an item allocation method according to claim 1, wherein said item selection key is a value depending upon a client program that operates in each of said computers (col. 4, lines 17-24 and 33-39; col. 6, lines 31-35; Figures 1, 5 and 6; Each computer interconnected on the network uses a workflow management system to communicate workflow data to and from the workflow description database. The workflow description database uses tables and unique IDs, or keys, to identify and select data. Therefore, the selection key value must be a value that all the computers on the network understand.).

As per claim 6, Hsu et al. discloses an item allocation method according to claim 4, wherein said value depending upon a client program that operates in each of said computers is a thread ID of the client program, a process ID of the client program, an object reference acquired from the client program, or an identifier of a connection formed from the client program to the server at time of said item request (Figures 5-9; The workflow description database contains tables with IDs for Arc, Port and Flow Type

(i.e., thread and connection formed), Step Type (i.e., process) and Application (i.e., object reference).).

As per claims 8 and 9, Hsu et al. does not expressly disclose an item allocation method according to claim 1, wherein said item selection key is either an IP address or an MAC address of each of said computers. However, Hsu et al. does disclose using Port IDs to identify the component and port on the computer where data signals are to be sent and received (col. 8, lines 1-7) as well as various unique IDs to facilitate the workflow management (Figures 6, 7 and 11). It is old and well known that an IP/MAC address is a unique number that identifies a computer on a network. Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art for the system of Hsu et al. to use an IP/MAC address as an item selection key since the system of Hsu et al. already employs unique numbers as selection keys, and furthermore, an IP/MAC address could identify the computer from which a request is being made or the computer that is to process the request, which further enhances the workflow management process of Hsu et al. by enabling the tracking of more detailed information related to the workflow process.

As per claim 10, Hsu et al. discloses an item allocation method according to claim 1, wherein said item allocation method is applied to each of works of a business process stored in the server (col. 6, lines 20-31; The workflow system is used to model and facilitate business process schemas.).

Claims 2, 3, 5, 7, 11 and 12 recite substantially similar subject matter as claims 1, 4, 6 and 8-10 above. Therefore, claims 2, 3, 5, 7, 11 and 12 are rejected on the same basis as claims 1, 4, 6 and 8-10 above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Chandra et al. (U.S. 6,058,389) discusses a message queuing in a database system;
- Ouchi (U.S. 6,170,002) discusses workflow management system that match objects to request criteria;
- Ghoneimy et al. (U.S. 5,524,241) discusses tracking long-running computations using input/output conditions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae (formerly, C. Michelle Colon) whose telephone number is 571-272-6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "C. Michelle Tarae", with a stylized flourish at the end.

C. Michelle Tarae
Patent Examiner
Art Unit 3623

July 14, 2006